

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

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HENRY DESMARAIS, individually, and on	:	CIVIL ACTION	
behalf of all others similarly situated,	:		
	:	No.: 1:22-cv-11904-ADB	
Plaintiffs,	:	Hon. Allison D. Burroughs	
v.	:		
	:		
OCEAN SPRAY CRANBERRIES, INC.,	:		
	:		
Defendant.	:		
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Joint Status Report

1. This case arises under the collective action procedure of the Fair Labor Standards Act (29 U.S.C. §216(b)), and contains claims for unpaid overtime.

2. The Court initially granted conditional certification of a collective asserting claims that shift premiums were not properly calculated into the regular rate. Notice was sent in March 2024 to approximately 1,412 individuals. A total of 145 individuals opted to join the collective action.

3. On November 18, 2024, this Court granted Plaintiff's Motion for Reconsideration of Plaintiff's Pre-Discovery Motion for Conditional Certification [Motion, DKT No. 36; Order DKT No. 43] and ordered the parties to send notice to the conditionally certified collective, asserting claims that employees were not paid properly for time spent donning protective equipment.

4. The initial notice on the donning claim was sent to approximately 1,330 employees in the second conditionally certified collective on May 23, 2025.

5. The reminder notice was sent on June 23, 2025.

6. The opt-in period expired on July 22, 2025.

7. As of July 29, 2025, 69 people have opted into this action on the donning claim.

8. Because of overlap between the two groups – that is, some individuals received both notices and opted in as to both claims – there is a total of approximately 175 individuals in the two collectives combined.

9. Since the close of the opt-in period, the parties have been engaged in settlement discussions.

10. On October 16, 2025, this Court granted the parties' request to permit them to file a joint status report by November 17, 2025 to update the Court on their settlement discussions and either (a) ask for additional time to finalize those discussions or (b) propose scheduling dates.

11. In this joint status report, the parties ask the court to give them additional time to pursue settlement discussions and to permit them to file a joint status report on or before December 15, 2025 to update the Court on the status of those discussions.

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Certificate of Service

I hereby that this document was served on all parties of record pursuant to the operation of the Court's ECF filing system.

/s/ Benjamin K. Steffans
Benjamin Knox Steffans (BBO# 568535)
November 17, 2025